

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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CRESTWOOD CAPITAL MANAGEMENT, L.P.,

Plaintiff,

- against -

JIMMY CHEBAT; DEBT DIRECT PORTFOLIO
MANAGEMENT, LLC f/k/a CHEBAT PORTFOLIO
MANAGEMENT, LLC; THE GREAT ATLANTIC
GROUP, LLC; LEGAL DEBT PROCESSING
SERVICES, LLC; and RED CEDAR ASSOCIATES
LLC,

Defendants.
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Case No. 20-cv-00463

~~PROPOSED~~ FINAL JUDGMENT ON CONSENT

Plaintiff Crestwood Capital Management, L.P. (the “Plaintiff”), having filed a Complaint on January 17, 2020 (Dkt. 1) against Jimmy Chebat, Debt Direct Portfolio Management, LLC f/k/a Chebat Portfolio Management, LLC, the Great Atlantic Group, LLC, Legal Debt Processing Services, LLC and Red Cedar Associates LLC (collectively, the “Defendants”) asserting claims for trademark infringement, unfair competition and dilution under the Lanham Act, 15 U.S.C. § 1051 *et seq.*, false and misleading representations under the Fair Debt Collections Practice Act, 15 U.S.C. § 1692e, together with claims under New York State statutory law; and Defendants having filed an Answer on April 3, 2020 (Dkt. 36); and Plaintiff having filed an Amended Complaint on April 27, 2020 (Dkt. 40); and Defendant Red Cedar Associates having admitted to using the assumed name “Crestwood Capital” in interstate commerce through and including October 31, 2019, and previously representing through counsel on that date that their use of the assumed name had ceased; and Defendants’ counsel having represented again during the initial pre-trial

teleconference held on March 13, 2020 before the Honorable Denise L. Cote, that Defendant Red Cedar Associates had ceased using the assumed name and that no other Defendant herein has ever used such name; and the parties having entered into a Stipulated Consent Permanent Injunction on April 30, 2020, which was so-ordered on May 1, 2020 (Dkt. 42); and the Defendants having filed an Amended Answer on May 20, 2020 (Dkt. 58); and the parties having agreed upon a resolution of this matter prior to a trial on the merits without any admission of liability, and having entered into a settlement agreement on November 17, 2020 providing for the entry of a Final Judgment on Consent; and for good cause shown;

IT IS ORDERED, ADJUDGED AND DECREED THAT:

1. This Court has jurisdiction over the parties, the signatories hereto and the subject matter of this action.
2. Defendants, together with their officers, managers, agents, servants, affiliates, employees, subsidiaries, heirs, successors and assigns, and representatives thereof, and all other persons, firms or companies in active concert or participation with them or any of them, now or in the future, shall be and are hereby permanently enjoined and restrained from engaging in any use of Plaintiff's registered service marks and any confusingly similar derivation thereof, including "Crestwood," "Crestwood Capital," and "Crestwood Capital Management," in connection with the operation of any business; and
3. Plaintiff's claims are dismissed with prejudice.
4. The Stipulated Consent Permanent Injunction (Dkt. 42) remains in full force and effect, and this Court maintains jurisdiction to enforce the Stipulated Consent Permanent Injunction ~~and this Final Judgment on Consent~~. The case is otherwise terminated.
5. This Final Judgment on Consent may be signed in counterparts and may be obtained and exchanged by electronic mail.

Dated: New York, New York
November 18, 2020

KLEINBERG, KAPLAN, WOLFF, &
COHEN, P.C.

PELTAN LAW, PLLC

By: /s/ Joshua K. Bromberg
Joshua K. Bromberg
Pamela A. Frederick
500 Fifth Avenue
New York, New York 10110


*Attorneys for Plaintiff Crestwood
Capital Management, L.P.*

By: /s/ David Peltan
David Peltan
128 Church Street
East Aurora, New York 14052

*Attorneys for Defendants Jimmy Chebat,
Debt Direct Portfolio Management, LLC
f/k/a Chebat Portfolio Management, LLC,
the Great Atlantic Group, LLC, Legal
Debt Processing Services, LLC and Red
Cedar Associates LLC*

IT IS SO ORDERED.

Dated: November 23, 2020



DENISE COTE
United States District Judge